

March 22, 2021

The Honorable Lloyd J. Austin III
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Austin,

I am writing regarding your January 30, 2021 decision to suspend dozens of Defense Department advisory boards and relieve hundreds of appointees to these boards pending a “zero-based review.”¹ I strongly support this decision, which, as you note, will “focus [DoD] advisory committee efforts to align with our most pressing strategic priorities and the National Defense Strategy ... [and] ensure that advisory committee and subcommittee member appointments comply with all applicable federal statutes and regulations, to include DoD policies and procedures.”² Importantly, your decision gives you the opportunity to reinvigorate these boards and ensure that they reflect the rich diversity of our country and the military they serve, and that their members meet the highest ethical standards.

In the waning days of the Trump Administration, then Acting Secretary of Defense Christopher Miller fired nine Defense Business Board members and “replaced them with 11 new appointments ... aimed at installing Trump loyalists.”³ He fired 11 more from the Defense Policy Board and replaced them with more partisan members to include former House Speaker Newt Gingrich.⁴ As you begin to consider candidates to repopulate the boards that survive your review, I urge you to consider several important needs.

First, you should ensure that board members are complying with all government ethics rules and that they are qualified professionals not partisan loyalists. The appointees you suspended included Corey Lewandowski, former President Trump’s campaign manager, David Bossie, who “was tapped to lead the effort to contest the election” that ultimately resulted in the January 6,

¹ Stars and Stripes, Austin will dismiss all Pentagon policy board members, and is launching a review of at least 42 panels, Feb. 2, 2021, <https://www.stripes.com/news/us/austin-will-dismiss-all-pentagon-policy-board-members-and-is-launching-a-review-of-at-least-42-panels-1.660743>.

² Memorandum from Secretary of Defense to Senior Pentagon Leadership, Commanders of the Combatant Commands, Defense Agency and DOD Field Activity Directors, Jan. 30, 2021, <https://www.stripes.com/news/us/austin-will-dismiss-all-pentagon-policy-board-members-and-is-launching-a-review-of-at-least-42-panels-1.660743>.

³ CNBC, Trump loyalists Corey Lewandowski and David Bossie appointed to Pentagon business board, December 4, 2020, <https://www.cnbc.com/2020/12/04/trump-loyalists-corey-lewandowski-and-david-bossie-appointed-to-pentagon-business-board.html>.

⁴ Defense News, Newt Gingrich and loyalists tapped for Defense Policy Board as Henry Kissinger is ousted, December 14, 2020, <https://www.defensenews.com/congress/2020/12/14/newt-gingrich-and-loyalists-tapped-for-defense-policy-board-as-henry-kissinger-is-ousted/>.

2020 attacks on the U.S. Capitol,⁵ and Cory Mills, a “columnist for the far-right Newsmax website, who has claimed the Nov. 3 election results as fraudulent.”⁶ These individuals had no business serving on panels designed to give independent, non-partisan advice. In recent years, appointees from both political parties have been revealed to have undisclosed conflicts of interest and questionable involvement in processes resulting in business-owned profiteering.⁷ These conflicts of interest cast doubt on the impartiality of these advisory boards and their members’ ability to provide truly independent advice and recommendations to DoD.

In May 2019, I introduced the *Department of Defense Ethics and Anti-Corruption Act*, which established several new provisions to limit the influence of contractors on the military, constrain foreign influence on retired senior military officers, and assert greater transparency over contractors and their interactions with the DoD.⁸ You do not have to wait for this legislation to pass to impose new ethics requirements for DoD advisory boards. As you name new members to these boards and reconsider the rules under which they operate, you should adopt all relevant provisions of this legislation, including imposing strict conflict of interest and recusal requirements, limits on employment by and for foreign government and foreign entities, and transparency and disclosure on lobbying of and by board members.

You should also take additional steps to improve these advisory boards, including ensuring that their members understand the needs and experiences of all Americans and reflect the diversity of the American people and the military as a whole. Your decision to appoint a senior advisor for human capital, diversity, equity, and inclusion within the Department marks an important step forward for DoD.⁹ You can make additional progress by appointing a slate of board members that is representative across race, ethnicity, religion, national origin, individuals with disabilities, gender, age, sexual orientation, professional experience, and ideology.

These DoD advisory boards can provide valuable independent advice and recommendations about the Pentagon’s management, business processes and governance and the mission and personnel decisions you make in the coming months will determine their effectiveness and utility. I strongly support your efforts and look forward to working with you to make sure these boards’ members meet high ethical standards and reflect the country they serve.

⁵ Politico, White House fires Pentagon advisory board members, installs loyalists, December 4, 2020, <https://www.politico.com/news/2020/12/04/pentagon-fires-business-advisory-board-members-442892>.

⁶ Defense News, Defense Business Board members replaced with Trump loyalists, December 4, 2020, <https://www.defensenews.com/industry/2020/12/04/defense-business-board-members-replaced-with-trump-loyalists/>.

⁷ ProPublica, How Amazon and Silicon Valley Seduced the Pentagon, August 22, 2019, <https://www.propublica.org/article/how-amazon-and-silicon-valley-seduced-the-pentagon>.

⁸ Elizabeth Warren, United States Senator For Massachusetts, Senator Warren Introduces New Legislation to Strengthen Ethics and Transparency at the Defense Department, May 16, 2019, <https://www.warren.senate.gov/newsroom/press-releases/senator-warren-introduces-new-legislation-to-strengthen-ethics-and-transparency-at-the-defense-department>.

⁹ Vox, The Pentagon is taking a major step to deal with its diversity problems, February 12, 2021, <https://www.vox.com/2021/2/12/22279860/pentagon-garrison-diversity-adviser-austin-white-extremism>

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Warren", with a long horizontal flourish extending to the right.

Elizabeth Warren
United States Senator